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August 25, 2009

Via E-mail and FedEx

Lauren John Udden
15 West Carrillo Street
Suite 209
Santa Barbara, CA 93101

Re: *United States ex rel. Linnette Sun and Greg Hamilton, Relators v.
Baxter Hemoglobin Therapeutics and Baxter International Inc.*; Master File No. 1:01-
CV-12257 (PBS), Sub. Category Case No. 1:08-CV-11200

Dear Mr. Udden:

This responds to your request that Baxter “stipulate” to your right to take a deposition regarding the readership of MRB Reports. Baxter does not so stipulate and objects to Relators’ ability to conduct discovery in an effort to correct a jurisdictional flaw/meet the requirements of Rule 9(b).

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Andrew Jackson', with a long horizontal flourish extending to the right.

J. Andrew Jackson
(202) 420-2268
jacksona@dicksteinshapiro.com

JAJ/nrr